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UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

PORTLAND DIVISION

TYLER MILLER, an individual,

Plaintiff,

vs.

Case No. 3:23-cv-00293-SI

FIFTH DECLARATION OF TYLER
MILLER

HENRY HEIMULLER, in his official capacity
as Board Member of the Columbia 9-1-1
Communications District; BRUCE HOLSEY,
in his official capacity as Board Member of the
Columbia 9-1-1 Communications District;
JEFF FLATT, in his official capacity as Board
Member of the Columbia 9-1-1
Communications District; and SHELLEY
HENNESSY, in her official capacity as Board
Member of the Columbia 9-1-1
Communications District,

Defendants.

I, Tyler Miller, declare as follows:

1. My name is Tyler Miller. I am over the age of 18 years old. I live within Columbia County, Oregon. I make this declaration on personal knowledge unless otherwise indicated. If called upon to do so, I would testify truthfully as follows.

2. I have attended every Columbia 9-1-1 Communications District (the “District”) board of directors meeting since March 23, 2023 – a total of five meetings.

3. The District’s virtual-only board of directors meeting on April 27, 2023 was subject to the same restrictions as the March 23, 2023 board meeting, as described in paragraph 3 of the Third Declaration of Tyler Miller.

4. At the District’s virtual-only board of directors meetings on May 25, 2023 and June 15, 2023, I was able to see other attendees, but I could only message the meeting host.

5. Attached hereto as Exhibit 1 is a true and correct copy of an excerpt of Minutes of the Board of Directors Regular Meeting, March 23, 2023, which I downloaded from the District's website.


6. Attached hereto as Exhibit 2 is a true and correct copy of an excerpt of Minutes of the Board of Directors Regular Meeting, April 27, 2023, which I downloaded from the District's website.

7. Attached hereto as Exhibit 3 is a true and correct copy of an excerpt of Minutes of the Board of Directors Regular Meeting, May 25, 2023, which I downloaded from the District's website.

8. Attached hereto as Exhibit 4 is a true and correct copy of an excerpt of Minutes of the Board of Directors Regular Meeting, June 15, 2023, which I downloaded from the District's website.

I declare under penalty of perjury that the foregoing is true and correct, and that I
8/21/2023
executed this declaration on August __, 2023, at Scappoose, Oregon.

DocuSigned by:


4181C3924C3341C...
Tyler Miller

\4860-1260-4281

COLUMBIA 9-1-1 COMMUNICATIONS DISTRICT
Minutes of the Board of Directors Regular Meeting
March 23, 2023

MEETING CALLED TO ORDER: Board Vice President Heimuller called the Board of Directors Regular Meeting to order on Thursday, March 23, 2023, at 9:01a.m. via Zoom.

MEMBERS PRESENT: Rob Anderson and Henry Heimuller (in person)
Shelley Hennessy and Jeff Flatt (via Zoom)

Staff Present: Mike Fletcher, Dannell Hooper, Maryjo Beck,
Nathan Hughes and Merx Lavine (in person)
Alex Edinger and Wendi Farley (via Zoom)

GUESTS PRESENT:
(via Zoom)
Brady Preheim
Carroll Sweet
Cascadia
Casey Garrett
Engaged Citizens of Columbia County
Jeromy Hasenkamp
Kim Holmes
Kriston Plantz
KSmith
Larry Hill
Melinda Bernert
Misty Holsey
Robin
Traci Brumbles
Peter McHugh
Jim Gibson
Tyler Miller, Scappoose City Councilor

Roll call was done.

PUBLIC COMMENT:

Sweet, Scappoose resident, provided testimony expressing concern about a sole source bid with Motorola.

Preheim, St. Helens resident, provided testimony in opposition of the Board's attempt to trespass people from a public meeting and concern about a sole source bid with Motorola.

Miller, Scappoose City Councilor and Scappoose resident, expressed having difficulty with new Zoom format/audio issues.

Hasenkamp, St. Helens resident, provided testimony in regard to the virtual format and concern about a sole source bid with Motorola.

9:11a.m. Flatt joined the meeting

COLUMBIA 9-1-1 COMMUNICATIONS DISTRICT
Minutes of the Board of Directors Regular Meeting
April 27, 2023

MEETING CALLED TO ORDER: Board Vice President Heimuller called the Board of Directors Regular Meeting to order on Thursday, April 27, 2023, at 1:00p.m. via Zoom.

MEMBERS PRESENT: Henry Heimuller (in person)
Rob Anderson, Shelley Hennessy and Jeff Flatt (via Zoom)

Staff Present: Mike Fletcher, Dannell Hooper, Maryjo Beck, Nathan Hughes and Merx Lavine (in person)
Alex Edinger and Chandra Egan (via Zoom)

GUESTS PRESENT: Michael Peterkin, Peterkin Burgess
(via Zoom) Carroll Sweet
Carlos Delatorre
Jennifer Massey
Tammy Maygra
Jeremy Hasenkamp
Tyler Miller, Scappoose City Councilor

Roll call was done.

PUBLIC COMMENT:

Maygra, Deer Island resident, provided testimony expressing concern about a sole source bid with Motorola and partnering with Washington County. Inquired if the Board received her email; Heimuller stated that he had not but would have staff retrieve it from the email server.

Sweet, Scappoose resident, also provided testimony expressing concern about a sole source bid with Motorola.

ADDITIONS TO AGENDA:

No additions were made to the agenda.

APPROVAL OF MINUTES:

March 23, 2023 Board of Directors Regular Meeting Minutes:

Hennessy moved and Flatt seconded to approve the 3/23/23 Board of Directors Regular Meeting minutes as presented. Motion passed unanimously.

FINANCIAL REPORTS:

Acceptance of Budget Variance Report – March:

Anderson moved and Hennessy seconded to accept the Budget Variance Report for the month of March as presented. Motion carried unanimously.

Approval of Expenditures:

Anderson moved and Flatt seconded to approve the expenditures starting with check #31318 through #31381 including the electronic payments in the amount of \$440,729.54. Motion carried unanimously.

COLUMBIA 9-1-1 COMMUNICATIONS DISTRICT
Minutes of the Board of Directors Budget Hearing and Regular Meeting
May 25, 2023

MEETING CALLED TO ORDER: Board Member Anderson called the Board of Directors Budget Hearing and Regular Meeting to order on Thursday, May 25, 2023, at 9:01a.m. via Zoom.

MEMBERS PRESENT: Jeff Flatt (in person)
Rob Anderson and Shelley Hennessy (via Zoom)

Staff Present: Mike Fletcher, Dannell Hooper, Maryjo Beck, Nathan Hughes and Merx Lavine (in person)
Alex Edinger and Chandra Egan (via Zoom)

GUESTS PRESENT: Heather Van Meter, Bullard Law
(via Zoom) Aurora Biggers, Columbia County Spotlight
Carroll Sweet
Jonathan Barclay
Kriston Plantz
Jeremy Hasenkamp
Tyler Miller, Scappoose City Councilor

Roll call was done.

OPENING OF BUDGET HEARING:
There were no public comments made.

9:03am Closed hearing, opened regular board meeting.

INTRODUCTION – New CFO; Micki Nichols:
Fletcher stated that Nichols would have been in attendance however her daughter is having a baby earlier than expected, so she is with family at this time.

PUBLIC COMMENT:
No public comment was made.

ADDITIONS TO AGENDA:
No additions were made to the agenda.

APPROVAL OF MINUTES:
April 27, 2023 Board of Directors Regular Meeting Minutes and May 5, 2023 Budget Meeting Minutes:

Flatt moved and Hennessy seconded to approve the 4/27/23 Board of Directors Regular Meeting and 5/5/23 Budget Meeting minutes as presented. Motion passed unanimously.

COLUMBIA 9-1-1 COMMUNICATIONS DISTRICT
Minutes of the Board of Directors Regular Meeting
June 15, 2023

MEETING CALLED TO ORDER: Board President Holsey called the Board of Directors Regular Meeting to order on Thursday, June 15, 2023, at 9:00a.m. via Zoom.

MEMBERS PRESENT: Bruce Holsey and Henry Heimuller (in person)
Rob Anderson, Shelley Hennessy and Jeff Flatt (via Zoom)

Staff Present: Mike Fletcher, Micki Nichols, Dannell Hooper, Maryjo Beck and Merx Lavine (in person)
Nathan Hughes, Alex Edinger and Chandra Egan (via Zoom)

GUESTS PRESENT: Michael Peterkin, Peterkin Burgess
(via Zoom) Jeremy Hasenkamp
Tyler Miller, Scappoose City Councilor

Roll call was done.

PUBLIC COMMENT:
No public comment was made.

ADDITIONS TO AGENDA:
Fletcher stated that Executive Session is scheduled for 9:45a.m.

APPROVAL OF MINUTES:
May 25, 2023 Board of Directors Budget Hearing and Regular Meeting Minutes:
Heimuller moved and Anderson seconded to approve the 5/25/23 Board of Directors Budget Hearing and Regular Meeting minutes as presented. Motion passed unanimously.

FINANCIAL REPORTS:
Acceptance of Budget Variance Report – May:
Heimuller moved and Anderson seconded to accept the Budget Variance Report for the month of May as presented. Motion carried unanimously.

Approval of Expenditures:
Anderson moved and Heimuller seconded to approve the expenditures starting with check #31430 through #31464 including the electronic payments in the amount of \$367,033.90. Motion carried unanimously.

Resolution 23-02, 23-03, 23-04 Adopting the Budget, Making Appropriations, Declaring a Levy and Categorizing Taxes:
Heimuller moved and Hennessy seconded to approve Resolutions 23-02, 23-03 and 23-04 in the matter of Adopting the Budget, Making Appropriations, Declaring a Levy and Categorizing the Taxes Provided for in the 2023-2024 Approved Budget. Motion carried unanimously.